

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

Disposition of Claims

Claims 1-9, 12-22 and 24-31 are pending in this application. Claims 1, 15, and 29 are independent. The remaining claims depend, directly or indirectly, from claims 1, 15, and 29.

Rejection(s) under 35 U.S.C § 102

Claims 1-6, 9, 12-20, and 24-31 stand rejected under 35 U.S.C. 102(b) as anticipated by Edwards et al. (U.S. Patent No. 6,209,609). Independent claims 1, 15, and 29 have been amended in this reply to clarify the present invention recited. To the extent that this rejection may still apply to the amended claims, the rejection is respectfully traversed.

The present invention is directed to apparatuses and methods for applying a material from a roll, and in particular from an adhesive-backed roll, to a surface. Embodiments of the invention include a brake caliper, whereby a braking force is applied to the side of the roll. As emphasized in the specification, this side-braking aspect of the invention permits the use of adhesive-backed rolls, unlike braking mechanisms that apply a normal force to the dispensed tape.

In view of the above, Edwards fails to show or suggest the present invention as recited in the claims as amended. In particular, Edwards does not show or suggest an apparatus or method for applying a material from a roll to a surface, wherein, *inter alia*, a braking force is applied to a side of a roll of material rotatably supported by the frame. For at least these reasons, the claims as amended are patentable over Edwards. The dependent claims are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Rejection(s) under 35 U.S.C 103

Claims 7 and 21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Edwards et al. in view of Shi (US 5,236,540). Claim 7 depends from amended claim 1, which is now allowable as amended. Thus, claim 7 is now allowable, as depending from an allowable independent claim.

Likewise, claim 21 depends from amended claim 15, which is now allowable as amended. To the extent that this rejection may still apply, the rejection is respectfully traversed.

Claims 8 and 22 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Edwards et al. in view of Thompson et al. (US 5,792,310). This rejection is respectfully traversed.

The present invention is directed to apparatuses and methods for applying a material from a roll, and especially from an adhesive-backed roll, to a surface. Embodiments of the invention include a brake caliper, whereby a braking force is applied to the side of the roll. As emphasized in the specification, this side-braking aspect of the apparatus advantageously permits the use of adhesive-backed rolls, unlike braking mechanisms that apply a normal force to the dispensed tape.

Thompson, by contrast, discusses a roll-on box sealing hand applicator, having a brake element that includes an internal brake surface for riding against the external surface of a tape roll, as illustrated in FIG. 1. Thus, the brake surface taught by Thompson rides against and applies a normal force to the tape roll.

The references cited by the Examiner, even in combination, fail to show or suggest all the elements recited in claims 8 and 22, and therefore do not support a finding of obviousness as required by § 103. In particular, the references fail to show or suggest an apparatus or method for applying a material from a roll to a surface, wherein, *inter alia*, a braking force is applied to a side of a roll of material rotatably supported by the frame.

Furthermore, to include an "internal brake surface for riding against the external surface of a tape roll," as taught by Thompson, would defeat the advantages of the side-braking aspect used with adhesive-backed rolls according to the present invention. Therefore, Thompson does not teach an equivalent to the side-braking aspect of the present invention.

Thus, for at least these reasons, claims 8 and 22 are patentable over Edwards in view of Thompson. Accordingly, withdrawal of this rejection is respectfully requested. Notwithstanding the above, claims 8 and 22 have been cancelled per the amendment of claims 1 and 15, wherein claims 1 and 15 are amended to include the limitations of claims 8 and 22, respectively.

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner

is encouraged to contact the undersigned or his associates at the telephone number listed below. In the event there are additional charges in connection with the filing of this Response, the Commissioner is hereby authorized to charge the Deposit Account No. 50-0714/DOBS-0001 of the firm of the below-signed attorney in the amount of any necessary fee.

Respectfully submitted,

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